DOCUMENT RESUME

ED 409 498 CG 027 397

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TITLE	Community Accountability Conferencing.
PUB DATE	Sep 96
NOTE	7p.; Paper presented at the Annual Meeting of the Queensland Guidance and Counselling Association (9th, Brisbane, Queensland, Australia, September, 1996).
PUB TYPE	Reports - Research (143) -- Speeches/Meeting Papers (150)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Behavior Modification; Counseling Effectiveness; *Counseling Techniques; Counseling Theories; Crime; Delinquent Rehabilitation; Family Counseling; Family School Relationship; Foreign Countries; Holistic Approach; Intervention; *School Community Programs; *School Counseling; *School Safety; Secondary Education; Secondary School Students; *Student Behavior; Violence
IDENTIFIERS	Australia; *Community Accountability Conferencing

ABSTRACT

Community Accountability Conferencing (CAC) was first introduced in Queensland, Australia schools in early 1994 after a serious assault in the school community. Some family members, students, and staff were dissatisfied with the solution of suspending the offenders. Seeking an alternative, comprehensive intervention strategy, the school community implemented CAC. The process involves bringing offenders and victims together (along with their supporters) and, using a set script, the extent of harm is explored and an agreement sought that is restorative rather than punitive. During the 12-month project, 56 trials were conducted, including cases of assault, serious victimization, and property damage/theft. In an effort to determine the impact of conferencing on behavior management in trial schools, 31 conferences were evaluated and participants interviewed. Findings indicate that participants had a high degree of satisfaction with the process and the outcomes. Specifically, victims felt safer and offenders exhibited high levels of empathy and compliance and low rates of recidivism. The effectiveness of conferencing is explained by the Theory of Reintegrative Shaming (includes offenders rather than casting them out) and Affect Theory (promotes management and understanding of strong feelings). CAC has proved a valuable addition to the continuum of behavior management strategies. (LSR)

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Community Accountability Conferencing

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Community Accountability Conferencing (CAC) was first introduced into Queensland schools early in 1994. The occasion was a serious assault after a school dance at Maroochydore State High School on the Sunshine Coast. The impact of this assault on the school community was widespread and resulted in trauma response, a gang mediation and suspensions for the three offenders. The victim (a senior student) was badly traumatised and his family naturally wanted justice, as did significant numbers of students and staff who were dissatisfied with the suspension option. Involving the police was considered, but it was felt that the outcomes would not necessarily be effective.

The author of this paper and Mary Hyndman (Limestone Hill School Support Centre) had long been involved in developing whole school approaches to bullying - a systems approach which included intervention strategies for victims and bullies (Hyndman & Thorsborne, 1992; Thorsborne & Hyndman, 1994). We had been heartened by news of a police program for juvenile offenders in Wagga Wagga, New South Wales. In an attempt to direct these young people away from the courts, they had begun using a process imported from New Zealand called Family Group Conferencing. The Australian adaptation involved bringing offenders and victims together, along with their supporters (usually close family). Using a set script, the extent of the harm to individuals and their families was explored, and an agreement reached that was, refreshingly, aimed at repairing that harm rather than developing a series of punitive sanctions. A process like this, to deal with such incidents at schools as assaults, bullying, thefts - always a challenge for us in the past - had great appeal.

So, with a deal of telephone coaching from the NSW police, the first conference was conducted. It was less than perfect due to our inexperience, but the victim and his family were well satisfied with the outcomes. On request from us, the NSW police trained the first group (Queenslanders) of school-based conference facilitators for what was to be called Community Accountability Conferencing.

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Back in Queensland schools, early conferences proved to be very effective with impressive outcomes. Word spread quickly, trainings were organised and the "movement" grew. An application for funding to the Queensland Police Service to set up a Community Accountability Conferencing trial was successful and attracted further funding from the Department of Education. The twelve month project, conducted in two regions, Metropolitan West and Sunshine Coast was completed in April 1996. The official Departmental report is currently being considered as a basis for recommendations to extend the project from trial to pilot in an additional three Queensland regions (Department of Education, 1966).

During the period of the trial, fifty-six conferences were conducted. There were 20 cases of assault, 12 cases of serious victimisation and 11 cases of property damage/theft. The rest included drug related incidents, absconding, damaging the public image of the school, a bomb threat and persistent disruption in class. One conference involved the use of interpreters, Three involved Aboriginal and Torres Strait Islanders. Thirty-one conferences occurred in high schools, the remainder in primary schools (mostly in middle and upper primary).

The central question posed by the evaluation of thirty-one of these conferences was "how effective is Community Accountability Conferencing for dealing with incidents of serious harm in the school setting?" At 2-3 weeks post-conference, and again four months later, conference participants were interviewed. The instruments at 2-3 weeks were designed to measure:

(a) satisfaction with the process

(b) development of empathy in the offender

(c) reintegration of the offender

(d) community-school relationships.

Instruments at the four-month follow up measured:

(a) reoffending

(b) compliance with agreements

(c) reintegration of offender and victim

(d) school-community relationships.

At the end of the trial we sought to establish the impact of conferencing on behaviour management in trial schools.

A summary of the findings is outlined below:

There is evidence to indicate that:

1. Participants had a high degree of satisfaction regarding the process and outcomes of conferencing.
2. There were high compliance rates on the part of offenders with the terms of agreement.
3. There was a low rate of recidivism on the part of offenders.
4. A majority of offenders perceived they were more accepted, cared about and more closely connected to other conference participants following conferences.
5. A majority of victims felt safer and more able to manage similar situations than before conferencing.
6. Offenders had high levels of understanding and empathy towards victims and supporters.
7. The majority of participants had closer relationships with other conference participants after conferencing.
8. All responding administrators felt that conferencing reinforces school values.
9. Most family members expressed positive perceptions of the school and comfort in approaching the school on other matters.
10. Nearly all schools in the trial had changed their thinking about behaviour management as a result of involvement in conferencing.

Department of Education, Queensland 1996

The effectiveness of conferencing can be explained by two theories: the first, Braithwaite's (1989) Theory of Reintegrative Shaming. Braithwaite, an eminent Australian sociologist and criminologist points to the difference between processes which seek to reintegrate offenders and those which stigmatise and cast them out. It could be argued that some of our punitive sanctions in schools result in such stigmatising outcomes for offenders, and in no way address the needs of those most affected by the incident. Schools which escalate too quickly to punitive, stigmatising and incapacitating sanctions (exclusions), run the risk of creating a subculture of young people more angry than thoughtful, who go on to do more damage in the community - inverting the values of our schools and society.

The introduction of legislation in Queensland in 1996 to increase the powers of school principals to suspend students for up to 30 days may well be viewed by some as long overdue. It comes at a time when law and order is one of western democracies' greatest societal concerns, with the trend towards harsher and more punitive sanctions. The reality is that principals' so-called greater powers may instead be limiting as they are increasingly subjected to political and public pressure to "get tough" (O'Connell and Thorsborne, 1995). Conferencing presents a real alternative that is both tough and humane, and importantly, involves the people who have been most affected by the incident. The author's view is the mantle of decision-making regarding how to deal with an offender should be shared by the community of people for whom the impact of the incident is the greatest. In the most serious of cases, the principal would be part of that community, and the pressure of having to make tough decisions would be shared. The "moving on" of a student after an incident of serious harm before giving victims a chance to have their needs met may well be a temptation in a time of crisis and high emotions. It is vital, however, that schools understand what victims needs are in the wake of such events. The emotional impact is always negative : anger, hurt, distress, frustration and shame. Sometimes there is a loss of the vital sense of safety and predictability. How can these people best deal with these strong feelings? The understanding and management of these strong emotions draws on the work of Silvan Tomkins' Affect Theory, further developed by Nathanson (1992) and Retzinger and Scheff (1995). The repairing of damaged bonds between individuals and within communities depends heavily on providing opportunities to ventilate strong feelings, and having these strong feelings acknowledged by others. Victims need offenders to understand how their lives have been affected. Offenders families need their young people to know the shame and hurt their act has visited on them, and how too their lives have changed. Once the harm has been understood and acknowledged, and shame and remorse are evident in the offender, needs for retribution and revenge become minimal. Agreements forged in the wake of these emotional outpourings reflect surprisingly few demands of this nature.

Conferences are sometimes very emotional experiences, and not for faint-hearted facilitators! The selection and training of appropriate personnel are key issues in the success of conferencing. Trial evaluations have indicated that less successful

conferences may well be a function of:

(a) tampering with the script

(b) not having the right people taking part in a conference

(c) a lack of understanding about the purpose of conferencing

(d) poor decision-making regarding the appropriateness of a conference.

During the course of the trial, we discovered that many suitable incidents were not conferenced because trained personnel (eg. guidance officers, year coordinators and other specialist staff) were not party to the decision about what to do with the offender. Awareness raising for key decision makers will become an important focus in any expansion of conferencing to other regions.

Conferencing has growing appeal at a national and international level across a variety of jurisdictions. Trainings for schools based on the Queensland model have occurred in New South Wales, Australian Capital Territory, Victoria and Tasmania. Courts in South Australia have the power to convene conferences as part of the sentencing process. Police in New South Wales, Queensland, Australian Capital Territory, Northern Territory and Tasmania are using conferences to direct offenders from the court system. Trainings by us in North America have provided a basis for models of conferencing in schools, police, tertiary institutions, probation and indigenous justice systems. First Nation people (Cree) from Canada trained at those sessions commented that it was a relief that the white man was finally discovering the value of traditional systems - systems which, worldwide, seem to have some common threads (The Family Group Conferencing model had its origins in the Maori culture in New Zealand).

It has long been the belief of these traditional systems and recent advocates that the community of those most deeply affected are those who should be involved in discussions regarding how best to repair the harm that has been done to them. This democratic approach to problem-solving has proved a valuable addition to our continuum of behaviour management strategies. More importantly perhaps, this restorative approach has had a flow-on effect. It has given us a new perspective on our management practices at **all** levels and an understanding, at a deeper level, of how important our bonds are with others in our communities.

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